

REMARKS / ARGUMENTS

Claims 1-15 are currently pending in the application.

Claims 1-15 are rejected and as such no claims are allowed.

Claims 1, 3, 8, 10 and 15 are cancelled without prejudice or disclaimer and claims 2, 4, 7, 9, 11 and 14 are amended.

This Office Action is objected to the drawings because numerical indicator 16 (see page 6, line 15) is not illustrated. Corrected drawing sheets are required in reply to the Office action to abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriated figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the Examiner, the applicant will be notified and informed of

any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

This Office action has objected to the drawings under 37 CFR § 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the underwater munitions (see claim 15, line 8) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the Examiner, the Applicant will be notified and informed of

any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

This Office action has rejected claims 3-7 and 10-14 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. With regard to claims 3 and 10, the written description does not provide support or an explanation of how the detection means and the destruction means are stabilized underwater via a means mounted on the structural arms.

This Office action has rejected claims 3-7 and 10-14 under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. With regard to claims 3 and 10, the written description and/or drawings do not provide an explanation of how the detection means and destruction means are stabilized underwater via a means mounted on the structural arms.

This Office action has rejected claims 1-2 and 8-9 under 35 U.S.C. § 102(b) as being anticipated by Myron (reference A: U.S. Patent No. 2,938,434).

Myron discloses a system comprising:

- |                                    |                      |
|------------------------------------|----------------------|
| a) a plurality of structural arms; | 21,31,32             |
| b) means for detecting;            | 2 (equivalent means) |
| c) means for destroying;           | 5 (same means)       |
| d) a vehicle; and                  | col. 1, lines 15-17  |
| e) other obstacles                 | col. 1, lines 42-43  |

Note that applicant has not positively recited either mines or other obstacles but only means for detecting and destroying mines and other obstacles. Since the means for detecting and destroying recited in Myron are inherently capable of performing this function, these claim limitations are met by Myron.

This Office action rejects claims 1-2 and 8-9 under 35 U.S.C. § 102(b) as being anticipated by Hoogen et al. (reference N: EP 305 556 A1).

Hoogen et al. disclose a system comprising:

- |                                    |                       |
|------------------------------------|-----------------------|
| a) a plurality of structural arms; | 17, support of 31     |
| b) means for detecting;            | 31 (equivalent means) |
| c) means for destroying;           | 18 (equivalent means) |
| d) a vehicle; and                  | 101, 201              |
| e) mines and other obstacles       | 50                    |

This Office action has rejected claims 1-2 and 8-9 under 35 U.S.C. § 102(b) as being anticipated by Feintuch (reference B: U.S. Patent No. 5,988,038).

Feintuch discloses a system comprising:

- a) a plurality of structural arms; 52,44
- b) means for detecting; 28 (same means)
- c) means for destroying; 30 (same means)
- d) a vehicle; and 38
- e) other obstacles. Col. 3, lines 6-12

This Office action has rejected claim 15 under 35 U.S.C. § 102(b) as being anticipated by Kern (reference C: 4,975,888).

Kern discloses a system comprising:

- a) a first pod; forward portion of 23
- b) a sonar targeting system; 25
- c) a second pod; middle portion of 23
- d) an underwater gun system; 26, 33
- e) a vehicle; and 11
- f) the underwater gun system directed Col. 2, lines 65-68  
by the sonar to fire underwater  
munitions at mines and other obstacles.

Note that the functional claim limitations directed to rotationally attachable to a vehicle or the vehicle are clearly within the capability of Kern and as such are inherently met by Kern.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Turner, Cordes, Burt and Coudert disclose other state of the military systems.

These rejections and objections are respectfully traversed in view of these amendments and remarks. Applicant therefore solicits reconsideration and allowance of the claims as presented by the amendment herein.

In the Office Action, the drawings were objected to because numerical indicator "16" was not illustrated. In response, the drawing has been amended to identify the originally-shown barrels of the gun 12 as item no. 16. As such, the objection of the Office Action is resolved.

In the Office Action, the drawings were objected to under 37 CFR 1.83(a) as not showing the "underwater munitions" as an element of the claims. In response, claim 15 to which the term "underwater munitions" pertains, has been cancelled without prejudice or disclaimer. As a result, the objection of the Office Action is resolved.

In the Office Action, claims 3-7 and 10-14 were rejected under 35 USC 112 as failing to comply with the written description requirement. In response, claims 3 and 10 of the present application have been cancelled without prejudice or disclaimer; therefore, the rejection of the Office Action is

resolved for these claims. Claims 4 and 11 have been amended to change their dependency from claims 3 and 10, respectively. As such, the rejection of the Office Action is resolved for claims 4 and 11, as well as claims 5-7 dependant on amended claim 4 and claims 12-14 dependant on amended claim 10.

In the Office Action, claims 3-7 and 10-14 were rejected under 35 USC 112 as failing to comply with the enablement requirement. In response, claims 3 and 10 of the present application have been cancelled without prejudice or disclaimer; therefore this rejection of the Office Action is resolved for these claims. Claims 4 and 11 have been amended to change their dependency from claims 3 and 10, respectively. As such, the rejection of the Office Action is resolved for claims 4 and 11, as well as claims 5-7 dependant on amended claim 4 and claims 12-14 dependant on amended claim 10.

In the Office Action, claims 1-2 and 8-9 were rejected under 35 USC 102(b) as being anticipated by Myron (U.S. Patent No. 2,938,434). In response, claims 1 and 8 of the present application have been cancelled without prejudice or disclaimer; therefore, the rejection of the Office Action is resolved for these claims.

In regard to claim 2, the claim has been amended to independent form to incorporate the elements of claim 1 and to modify the description of "said structural arms" to "said

deployment arms" with support from the specification of the present application. By having deployment arms capable of deploying the detection means and the destruction means into and from water, the system of the vehicle can transit from a beach assault staging area to a mine field.

In contrast, the Myron reference does not disclose a deployment element capable of deploying the detection means and the destruction means into and from water. The arms (item 21, 31, 32) of the Myron reference are clearly for use on planes and extends from the plane shown in FIG.1. As such, the arms would not be deployable to an area that would be under the vehicle as would be the case for deployment arms into and from water. As a result, the cited reference would not anticipate amended claim 2; therefore, the rejection of the Office Action is resolved for this claim.

In regard to claim 9, the claim has been amended to independent form to incorporate the elements of claim 8 and to modify the description of "said structural arms" to "said deployment arms" with support from the specification of the present application. By having deployment arms capable of deploying the detection means and the destruction means into and from water, the system of the vehicle can transit from a beach assault staging area to a mine field.

In contrast, the Myron reference does not disclose a

deployment element capable of deploying the detection means and the destruction means into and from water. The arms (item 21, 31, 32) of the Myron reference are clearly for use on planes and extends from the plane shown in FIG.1. As such, the arms would not be deployable to an area that would be under the vehicle as would be the case for deployment arms into and from water. As a result, the cited reference would not anticipate amended claim 9; therefore, the rejection of the Office Action is resolved for this claim.

In the Office Action, claims 1-2 and 8-9 were rejected under 35 USC 102(b) as being anticipated by Hoogen et.al. (EP 305 556). In response, claims 1 and 8 of the present application have been cancelled without prejudice or disclaimer; therefore, the rejection of the Office Action is resolved for these claims.

In regard to claim 2, the claim has been amended to independent form to incorporate the elements of claim 1 and to modify the description of "said structural arms" to "said deployment arms. By having deployment arms capable of deploying the detection means and the destruction means into and from water, the system of the vehicle can transit from a beach assault staging area to a mine field.

In contrast, the Hoogan reference does not disclose a deployment element capable of deploying the detection means and

the destruction means into and from water. The structural arm (item 18) of the Hoogan reference is clearly for land use and is above the vehicle (item 101, 102). As such, the arm would not be deployable to an area that would be under the vehicle as would be the case for deployment arms into and from water. As a result, the cited reference would not anticipate amended claim 2; therefore, the rejection of the Office Action is resolved for this claim.

In regard to claim 9, the claim has been amended to independent form to incorporate the elements of claim 8 and to modify the description of "said structural arms" to "said deployment arms. By having deployment arms capable of deploying the detection means and the destruction means into and from water, the system of the vehicle can transit from a beach assault staging area to a mine field.

In contrast, the Hoogan reference does not disclose a deployment element capable of deploying the detection means and the destruction means into and from water. The structural arm (item 18) of the Hoogan reference is clearly for land use and is above the vehicle (item 101, 102). As such, the arm would not be deployable to an area that would be under the vehicle as would be the case for deployment arms into and from water. As a result, the cited reference would not anticipate amended claim

9; therefore, the rejection of the Office Action is resolved for this claim.

In the Office Action, claims 1-2 and 8-9 were rejected under 35 USC 102(b) as being anticipated by Feintuch (U.S. Patent No. 5,988,038). In response, claims 1 and 8 of the present application have been cancelled without prejudice or disclaimer; therefore, the rejection of the Office Action is resolved for these claims.

In regard to claim 2, the claim has been amended to independent form to incorporate the elements of claim 1 and to modify the description of "said structural arms" to "said deployment arms. By having deployment arms capable of deploying the detection means and the destruction means into and from water, the system of the vehicle can transit from a beach assault staging area to a mine field.

In contrast, the Feintuch reference does not disclose a deployment element capable of deploying the detection means and the destruction means into and from water. The structural arm (item 44, 52) of the Feintuch reference is clearly for land use and is above the vehicle (38). As such, the arm would not be deployable to an area that would be under the vehicle as would be the case for deployment arms into and from water. As a result, the cited reference would not anticipate amended claim

2; therefore, the rejection of the Office Action is resolved for this claim.

In regard to claim 9, the claim has been amended to independent form to incorporate the elements of claim 8 and to modify the description of "said structural arms" to "said deployment arms. By having deployment arms capable of deploying the detection means and the destruction means into and from water.

In contrast, the Feintuch reference does not disclose a deployment element capable of deploying the detection means and the destruction means into and from water. The structural arm (item 44, 52) of the Feintuch reference is clearly for land use and is above the vehicle (item 38). As such, the arm would not be deployable to an area that would be under the vehicle as would be the case for deployment arms into and from water. As a result, the cited reference would not anticipate amended claim 9; therefore, the rejection of the Office Action is resolved for this claim.


In the Office Action, claim 15 was rejected under 35 USC 102(b) as being anticipated by Kern (U.S. Patent No. 4,975,888). In response, claim 15 has been cancelled without prejudice or disclaimer; therefore, the rejection of the Office Action is resolved for this claim.

In view of these arguments, Applicant respectfully request reconsideration and allowance of the application.

The Examiner is invited to telephone Michael P. Stanley, Attorney for Applicant, at 401-832-6393 if, in the opinion of the Examiner, such a telephone call would serve to expedite the prosecution of the subject patent application.

Respectfully submitted,  
THOMAS J. GIESEKE

30 September 2004

By   
MICHAEL P. STANLEY  
Attorney of Record  
Reg. No. 47108

**Amendments to the Drawings:**

The attached sheet of drawings includes changes to Fig. 1. This sheet, which includes Fig. 1-2, replaces the original sheet including Fig. 1-2. In Figure 1, previously omitted element 16 has been added.

Attachment: Replacement Sheet

Annotated Sheet Showing Changes



Application No. 10/679,677  
Reply to Office Action of Aug 5, 2004  
Annotated Sheet Showing Changes

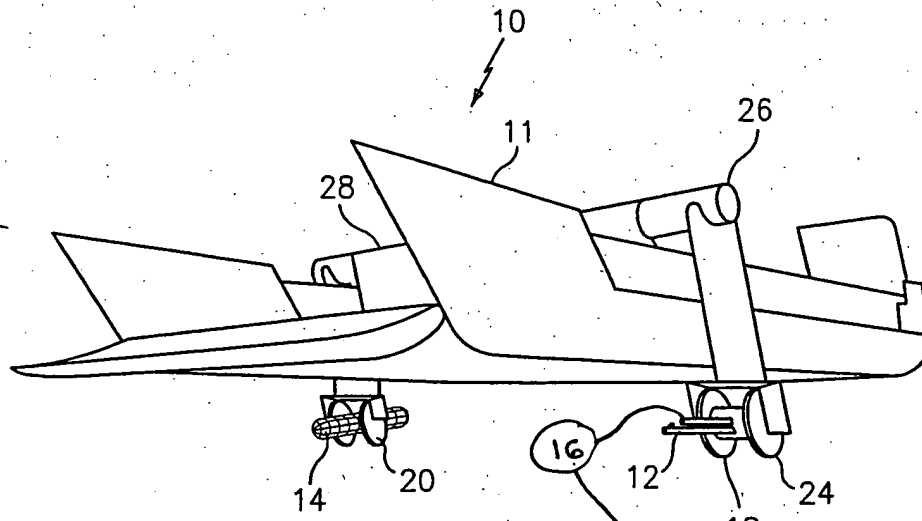


FIG. 1

Element 16  
added

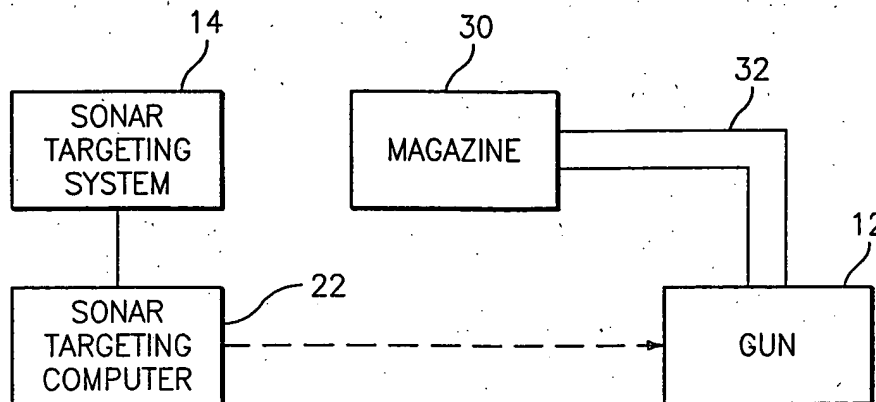


FIG. 2